



de maximis, inc.

186 Center Street
Suite 290
Clinton, NJ 08809
(908) 735-9315
(908) 735-2132 FAX

August 15, 2019

VIA ELECTRONIC MAIL

Ms. Diane Salkie
ATTN: Lower Passaic River Remedial Project Manager
Emergency and Remedial Response Division
U.S. EPA, Region 2
290 Broadway, 19th Floor
New York, New York 10007

**Re: Monthly Progress Report No. 147 – July 2019
Lower Passaic River Study Area (LPRSA) Remedial Investigation/Feasibility Study
(RI/FS)
CERCLA Docket No. 02-2007-2009**

Dear Ms. Salkie:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement. The CPG has revised this Progress Report to address the Region's direction in its September 1, 2015 letter about Section (d).

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

- On July 10, Region 2, CPG, and of NJDEP held a meeting to discuss the Upper 9-Mile IR FS (Meeting #20).
- On July 23, Region 2 and CPG held a teleconference to discuss the Upper 9-Mile Adaptive Management (AM) Plan Approach.
- On July 24, Region 2, CPG, and NJDEP held a teleconference to discuss the Upper 9-Mile AM Plan Approach.
- On July 25, Region 2 and CPG consultants held a teleconference to discuss updated model footprints to reduce targeting errors.

Correspondence

- On July 1, CPG requested an agenda from Region 2 for the scheduled July 2 teleconference to discuss the Upper 9-Mile IR FS.

Ms. D. Salkie
LPRSA RI/FS - Progress Report No. 147 – July 2019
August 15, 2019
Page 2 of 5

- On July 1, CPG notified Region 2 of laboratory responses to potential additional analyses for the Physical Water Column Monitoring (PWCM) and provided an alternative process for measuring chlorophyll during the monitoring program.
- On July 2, Region 2 forwarded NJDEP responses to Region 2's June 5, 2019 Determination of Successful Completion of the Upper 9-Mile Source Control Interim Remedy Document to CPG.
- On July 2, CPG requested Region 2 forward Region 2's June 21, 2019 one-page summary titled: "Post Interim Remedy Confirmatory Sediment Sampling Data Evaluation Framework."
- On July 3, Region 2 provided CPG responses to questions related to the Upper Confidence Limit (UCL)/Reverse Null Hypothesis for determining IR completion.
- On July 3, Region 2 provided the "Post Interim Remedy Confirmatory Sediment Sampling Data Evaluation Framework" to CPG.
- On July 8, CPG suggested a process for Region 2 and CPG to check auto-calibration efforts related to the Bioaccumulation Model.
- On July 10, Region 2 responded to CPG that the suggested process to check the auto-calibration efforts for the Bioaccumulation Model would not work.
- On July 11, CPG submitted a field modification to Region 2 for the PWCM Quality Assurance Project Plan (QAPP) to add a chlorophyll-a probe.
- On July 11, CPG submitted letters to Region 2 acknowledging Region 2's approval of both the 17-Mile Remedial Investigation (RI) Report and the 17-Mile Baseline Ecological Risk Assessment (BERA).
- On July 11, Region 2 asked if CPG will be issuing final versions of the 17-Mile RI Supplemental Sampling Program (SSP and SSP2) data summary reports.
- On July 11, CPG requested additional detail from Region 2 regarding the Region 2's June 5, 2019 Determination of Successful Completion of the Upper 9-Mile Source Control Interim Remedy Document.
- On July 12, Region 2 and CPG exchanged emails regarding additional calibration work on the Bioaccumulation Model.
- On July 12, CPG and Region 2 exchanged emails regarding the Upper 9-Mile IR FS Completion methodology.
- On July 12, CPG responded to Region 2 that the 17-Mile SSP and SSP2 data summary reports would be finalized if there were no further Region 2 comments.
- On July 15, Region 2 requested the combined Upper 9-Mile multi-beam, single-beam, and LiDAR bathymetric data from CPG.
- On July 15, CPG inquired how Region 2 would like the Upper 9-Mile bathymetric data transmitted.
- On July 15, Region 2 provided responses to CPG's response to comments (RTCs) on the Applicable or Relevant and Appropriate Requirements (ARAR) table, Common Engineering Elements, and Draft Basis of Cost Estimate for the Upper 9-Mile IR FS.
- On July 15, Region 2 and CPG exchanged emails regarding agenda items for the proposed July 24, 2019 FS meeting.

Ms. D. Salkie
LPRSA RI/FS - Progress Report No. 147 – July 2019
August 15, 2019
Page 3 of 5

- On July 16, Region 2 provided details to CPG regarding modeling evaluations to be conducted on the Bioaccumulation Model.
- On July 16, CPG requested confirmation of the requested format for delivery of the analytical data for the Current Conditions Chemical Water Columns Monitoring (CWCM) program.
- On July 16, CPG uploaded the Small Volume (SV) CWCM QAPP to the EPA SharePoint site and requested comments and/or conditional approval from Region 2 by July 30 to enable mobilization for the SV CWCM field work in early August.
- On July 16, CPG requested a teleconference with Region 2 to discuss the AM Plan.
- On July 17, Region 2 and CPG exchanged emails regarding the details of a potential teleconference to discuss the AM Plan.
- On July 17, Region 2 provided responses to CPG questions related to the UCL/Reverse Null Hypothesis for determining IR completion.
- On July 19, Region 2 and CPG exchanged emails regarding a potential day and time for a teleconference to discuss the AM Plan.
- On July 19, Region 2 and CPG exchanged emails regarding CPG's planned submittal of RTCs on comments on the Draft Final 17-Mile RI Report.
- On July 22, CPG requested Region 2 comments on two posters CPG prepared for public availability at the Clifton, NJ public information meeting.
- On July 22, Region 2 and CPG exchanged emails regarding upcoming Current Conditions Biota Sampling.
- On July 22, Region 2 indicated to CPG that the remaining six minor comments on the Draft Final RI Report had been addressed and that the Report could be finalized.
- On July 22, CPG requested clarification from Region 2 whether the finalization of the 17-Mile RI Report should occur after the Bioaccumulation Model initial calibration is completed to incorporate into the report.
- On July 22, Region 2 consultants requested an update from the CPG consultants on the schedule for receiving documentation for the Newark Bay Contaminant Fate and Transport (CFT) modeling.
- On July 23, Region 2 provided CPG a pilot template for an AM project management plan.
- On July 24, Region 2 noted that the oversight boat for the PWCM event was not equipped with a canopy to provide shade to the personnel on that boat and requested future boats be equipped with a canopy.
- On July 24, CPG provided Region 2 an update to the AM Plan and revisions to the June 6 and June 17 FS meeting minutes.
- On July 24, CPG consultants responded to Region 2 consultants that the Newark Bay CFT memorandum should be available in September 2019 and requested a teleconference call to discuss the status of the FS targeting error work.
- On July 24, Region 2 provided CPG the Draft Determination of Successful Completion of an Upper 9 Mile Source Control Interim Remedy for comment that was reviewed during the teleconference call.
- On July 25, CPG provided a memorandum to Region 2 regarding fish aging approaches.

Ms. D. Salkie
LPRSA RI/FS - Progress Report No. 147 – July 2019
August 15, 2019
Page 4 of 5

- On July 26, CPG responded to Region 2 that the Draft Final 17-Mile RI Report would be revised to incorporate the approved changes from the six minor comments and will provide the revised main text, Appendix A and Section 10 Tables and Figures with the submittal.
- On July 30, CPG notified Region 2 that the CPG consultant received the Fish Collection Permit from New Jersey Fish and Wildlife for the Current Conditions Biota Sampling program.
- On July 30, CPG provided proposed minor edits to the Table of Contents (TOC) indicating status of the Bioaccumulation Model references for Sections 6 and 7 and Appendix P for the Final 17-Mile RI Report to Region 2 to review.
- On July 30, CPG provided information to Region 2 regarding the NJ Fish Collection Permit and schedule considerations for the Current Conditions Biota Sampling program.
- On July 31, CPG provided additional schedule information on the Current Conditions Biota Sampling program to Region 2.
- On July 31, CPG requested a list of split locations from Region 2 consultants in advance of the PWCM sampling event to enable completion of the salinity transect within the 3-hour window of the tidal cycle.
- On July 31, Region 2 indicated that proposed minor edits to the TOC and Appendix P of the Final 17-Mile RI Report were acceptable to CPG.
- On July 31, CPG uploaded the revised sections of the Final 17-Mile RI Report to EPA's SharePoint site.

Work

- CPG continued work to address Region 2's comments on the modeling projections for the Upper 9-Mile IR FS.
- CPG continued to develop/draft Upper 9-Mile IR FS components/supporting documents.
- CPG continued to develop supporting documents for Current Conditions Sampling.
- CPG continued field work for the PWCM component of Current Conditions Sampling.
- CPG continued work on revision and calibration of the Bioaccumulation Model.

(b) Results of Sampling and Tests

- None.

(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- CPG will continue calibration of the Bioaccumulation Model.
- CPG will continue participation in meetings and conference calls with Region 2 and NJDEP and drafting the Upper 9-Mile IR FS.
- CPG will respond to Region 2 comments on outstanding Current Conditions Sampling QAPPs.
- CPG will continue the PWCM field work.

Ms. D. Salkie
LPRSA RI/FS - Progress Report No. 147 – July 2019
August 15, 2019
Page 5 of 5

- CPG will initiate the Current Conditions SV-CWCM program pending Region 2 approval of the QAPP.
- CPG will initiate the Current Conditions Biota Sampling program pending Region 2 approval of the QAPP.
- CPG will continue modeling projections for the Upper 9-Mile IR FS.
- CPG will continue work on Newark Bay Model documentation.

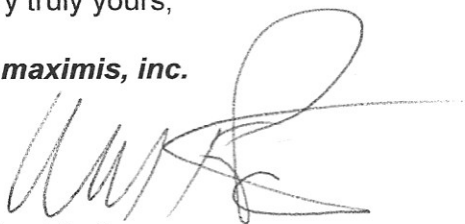
(d) Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.

- None

If you have any questions, please contact Rob Law or me at (908) 735-9315.

Very truly yours,

de maximis, inc.



Willard Potter
CPG Project Coordinator

cc: Frances Zizila, EPA Region 2 Office of Regional Counsel
William Hyatt, CPG Coordinating Counsel
Lisa Baron, USACE
Clay Stern, USFWS
Reyhan Mehran, NOAA
Jay Nickerson, NJDEP
Beth Franklin, USACE
Laura Kelmar, AECOM
David Marabello, CDM-Smith
Scott Kirchner, CDM-Smith